

Permitting & Assistance Branch Staff Report
Solid Waste Facilities Permit Revision for the Healdsburg Transfer Station
SWIS No. 49-AA-0245
September 28, 2011

Background Information, Analysis, and Findings:

This report was developed in response to the Sonoma County Local Enforcement Agency (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed Solid Waste Facilities Permit revision for the Healdsburg Transfer Station, SWIS No. 49-AA-0245, located in Sonoma County, owned and operated by County of Sonoma Department of Transportation and Public Works. A copy of the proposed permit is attached. This report contains the Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on August 19, 2011. Action must be taken on this proposed permit no later than October 18, 2011. If no action is taken by October 18, 2011, the Department will be deemed to have concurred with the issuance of the proposed revised permit.

Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (2006 SWFP)	Proposed Permit
Permitted Hours of Operation	<u>Receipt of Waste</u> 8:00 am to 4:00 pm 7 days per week	<u>Receipt of Waste</u> 8:00 am to 4:00 pm Monday-Saturday
Permitted Area Total (in acres)	7.8	8.0
15.Documents	Transfer/Processing Report 2/06 N/A N/A	Transfer/Processing Report and amendments 4/27/11 Addendum to Mitigated Negative Declaration (SCH# 2005112071) 7/7/11 Storm Water Pollution Prevention Plan (SWPPP) 6/22/11

Findings:

All of the submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings are summarized in table below. The documents on which staff's findings are based have been provided to the Branch Chief with this

Staff Report and are permanently maintained in the facility files maintained by the Permitting and Assistance Branch.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated August 18, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on June 10, 2011 and provided a copy to the Department on June 14, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facilities Permit	CalRecycle received the proposed solid waste facilities permit on August 19, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on August 19, 2011, provided a finding that the facility is consistent with PRC 50001 and Waste Evaluation & Enforcement Branch (WEEB) in the Jurisdiction Product & Compliance Unit found the facility is identified in the Non Disposal Facility Element as described in the memorandum dated September 7, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on September 27, 2011. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on August 19, 2011, that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and or Meeting, Comments	A Public Informational Meeting was held by the LEA on August 2, 2011. See public comment section below for further detail.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project, a proposed revised Solid Waste Facilities Permit. Permits staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

The facility was inspected by WEEB staff in the Inspections and Enforcement Agency Compliance Unit on September 27, 2011. No violations were noted.

Below are the details of the transfer station's compliance history based on the LEA's monthly inspection reports during the last five years.

In 2007, the LEA documented one violation for 14 CCR Section -14708.6, Maintenance program. In 2006, the LEA documented one violation for PRC 44014(b)-Operator complies with terms and conditions of permit. Both violations were corrected to the satisfaction of the LEA.

Environmental Analysis – 49-AA-0245

State Law requires compliance with the California Environmental Quality Act either through the preparation, circulation and adoption/certification of an environmental document and mitigation reporting or monitoring program, or, by determining that the proposal is categorically or statutorily exempt.

The expansion of the scale house and installation of two new scales at the Healdsburg Transfer Station were analyzed in a Mitigated Negative Declaration, dated November 2005 (SCH# 2005112071), prepared by the County of Sonoma Permit and Resource Management Department (PRMD). The MND was adopted by the Sonoma County Board of Supervisors (BOS), and a Notice of Determination (NOD) was filed with the Sonoma County Clerk on January 10, 2006.

The LEA has made a finding that the proposed permit revision is consistent with and supported by existing CEQA analysis. An Addendum to the Mitigated Negative Declaration was prepared on July 7, 2011, by the PRMD. The Addendum was prepared to document a minor technical change to the approved Mitigated Negative Declaration. The minor technical change is that the new scales and scale house would need to be installed approximately 500 feet from the original proposed location. As a result of the location change, half of the scale house would be outside the permitted facility boundary. In order to incorporate the new scales and scale house within the permitted facility boundary, the permitted facility boundary would need to be expanded from 7.8 acres to 8.0 acres requiring a revision to the solid waste facilities permit. The decision not to prepare a subsequent Negative Declaration was based on the following:

- The minor technical change does not require a major revision to the adopted Negative Declaration
- The minor technical change will have no significant environmental effect beyond those addressed in the original project
- The minor technical change will not require additional mitigation measures or alternatives

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the Mitigated Negative Declaration as amended prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of the Lead Agency for its consideration of the Permit.

Local Issues:

The project document availability, hearings, and associated meetings were extensively noticed consistent with the SWFP requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community (Census Tract 100). 2010 Census information indicates that the surrounding population is approximately 87% white, 2.0% black or African American, 0.7% American Indian & Alaska Native, 4.1% Asian, 0.2% Native Hawaiian & other Pacific Islander, and 4.0% "some other race" and 2.0%

"two or more races". Approximately 12.0% of the total population described themselves as Hispanic or Latino. 7.0% of the families in the Census Tract were below the poverty level. Staff has not identified any environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

On August 2, 2011, the LEA held a public informational meeting at the Department of Health Services Conference Room in Santa Rosa, California. One member of the public attended. The LEA received one oral comment during the public information meeting which was an inquiry into who would be responsible for covering the costs of the project. The operator responded that the costs of the project would be covered by tipping fees collected within the County of Sonoma. No oral or written public comments have been received by the Department.

Department Staff Actions:

Staff responded to questions from the LEA regarding the permit process. The Department provided an opportunity for public comment during the Monthly Public Meeting on September 20, 2011